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EXAMINER

FIELDS, BENJAMIN S

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3692

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03/05/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/724,315	Applicant(s) KASOWER, SHELDON	
	Examiner BENJAMIN S. FIELDS	Art Unit 3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,8,18 and 22-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,8,18 and 22-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Introduction

1. The following is a **FINAL** Office Action in response to the communication received on 2 January 2009. Claims 1-4, 8, 18, and 22-36 are now pending in this application.

Response to Amendments

2. Point of Note Regarding the originally asserted Double Patenting Rejection: The Examiner notes that there was a typographical error in the original Office Action in that the Double Patenting Rejection is in fact a provisional non-statutory obviousness-type double patenting rejection and not a provisional statutory obviousness-type double patenting rejection.

3. The Examiner acknowledges the Applicant's comments regarding the originally asserted Double Patenting Rejection and thus holds the rejection in abeyance pending the patentability of copending application 12/117,275 in view of such.

4. The Examiner acknowledges the Applicant's amendment of the Specification and thus removes the objection of such.

5. Applicant's Amendments to Claims 1-4, 8, 18, and 22-36 has been acknowledged in that: NO Claims have been newly cancelled; Claims 1 and 26 have been newly amended; NO Claims have been newly added; hence, as such, Claims 1-4, 8, 18, and 22-36 are pending in this application.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-4, 8, 18, and 22-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lazerson (US Pat. No. 7,366,694), [hereinafter Lazerson] in view of Stanfield (US PG. Pub. No. 2008/0133278), [hereinafter Stanfield].

Referring to Claim 1: Lazerson teaches a method of preserving an individual's access to credit by means of a service organization comprising: using one or more computer processing units, on a periodic basis accessing dynamic credit information of the individual from a credit reporting bureau report and deriving debt data from the credit information (Lazerson: Abstract; See Figures; Column 2, Line 35-Column 4, Line 65); using one or more computer processing units, on a periodic basis determining the an amount necessary to provide debt payment coverage based on the data derived from the credit information (Lazerson: Abstract; See Figures; See Claims).

Lazerson, however, does not expressly discuss using one or more computer processing units, selecting a specific insurance company to provide coverage for aggregated insurance benefits based on the amount determined necessary to provide debt payment coverage at specific aggregated insurance premiums.

Stanfield, in a similar environment, shows using one or more computer processing units, selecting a specific insurance company to provide coverage for aggregated insurance benefits based on the amount determined necessary to provide debt payment coverage at specific aggregated insurance premiums (Stanfield: Abstract; See Figures; Page 1, Paragraphs 0002-0012; Page 1, Paragraph 0017-Page 2, Paragraph 0024).

At the time of invention it would have been obvious to one of ordinary skill in the art to modify the method and system of Stanfield for a method and system for providing multi-credit card insurance with the features of Lazerson for credit/financing processes for the purpose of assisting borrowers avoid predatory lending and unjustified credit/financing rates, etc. (Lazerson: Column 1, Lines 19-63).

Referring to Claim 2: Lazerson teaches the limitations of Claim 1.

Lazerson, however, does not expressly discuss obtaining dynamic credit information providing data to be used in determining the premium necessary to provide coverage for the aggregated insurance benefits.

Stanfield, in a similar environment, shows obtaining dynamic credit information providing data to be used in determining the premium necessary to provide coverage for the aggregated insurance benefits (Stanfield: Abstract; See Figures; Page 1, Paragraphs 0002-0012; Page 1, Paragraph 0017-Page 2, Paragraph 0024; See Claims).

Referring to Claim 3: Lazerson shows a method further comprising on a periodic basis adjusting the value of the determined amount necessary to provide coverage for the aggregated insurance benefits in accordance with the changes in the data derived from the credit information (Lazerson: Column 2, Line 35-Column 4, Line 65; Column 5, Line 15-Column 7, Line 63).

Referring to Claim 4: Stanfield teaches a method further comprising on a periodic basis, updating the database to include any new insurance companies and to update the premiums that the one or more insurance companies charge for providing their aggregated insurance benefits (Stanfield: Abstract; See Figures; Page 1, Paragraphs 0002-0012; Page 1, Paragraph 0017-Page 2, Paragraph 0029; See Claims).

Referring to Claim 8: Stanfield discusses a method further comprising on a periodic basis, determining any change in the amount necessary to provide debt payment coverage and adjusting the value of the premiums owed by the individual in accordance with the changes in the data derived from the credit information (Stanfield: Abstract; See Figures; Page 1, Paragraphs 0002-0012; Page 1, Paragraph 0017-Page 2, Paragraph 0024).

Referring to Claim 18: Stanfield teaches a method wherein determining the amount necessary to provide debt payment coverage comprises: on a periodic basis, presenting information to the individual related to the data derived from the credit information and presenting information to the individual which classifies the data derived from the credit information into a plurality of debt categories; and on a periodic basis, allowing the individual to select among the debt categories for which the individual will

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obtain aggregated insurance benefits (Stanfield: See Figures; Page 1, Paragraphs 0002-0012; Page 1, Paragraph 0017-Page 2, Paragraph 0024; See Claims).

Referring to Claim 22: Stanfield shows a method further comprising registering the individual with the service organization (Stanfield: Abstract; See Figures; See Claims).

Referring to Claim 23: Stanfield discloses a method further comprising entering a database including one or more insurance companies that provide the insurance coverage benefits, the database further including the specific premiums that the one or more insurance companies charge for issuing their aggregated insurance benefits (Stanfield: Page 1, Paragraphs 0002-0012; Page 1, Paragraph 0017-Page 2, Paragraph 0029; Page 3, Paragraph 0037-Page 4, Paragraph 0042).

Referring to Claim 24: Stanfield teaches a method further comprising on a periodic basis informing the individual of the specific premiums (Stanfield: Abstract; See Figures; See Claims).

Referring to Claim 25: Stanfield shows a method further comprising requesting that the insurance company provide coverage for the existing aggregated insurance benefits to the individual (Stanfield: Abstract; See Figures; Page 1, Paragraphs 0002-0012; Page 1, Paragraph 0017-Page 2, Paragraph 0029; Page 3, Paragraph 0037-Page 4, Paragraph 0042; See Claims).

Referring to Claims 26-34: Claims 26-34 are directed towards a computer program product for carrying out/implementing the method steps of Claims 1-4, 8, 18,

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and 22-25. As such, Claims 26-34 are rejected under the same basis as are Claims 1-4, 8, 18, and 22-25 as mentioned supra.

Referring to Claims 35-36: Claims 35-36 parallel a system for the method of Claims 1-4, 8, 18, and 22-25. As such, Claims 35-36 are rejected under the same basis as are Claims 1-4, 8, 18, and 22-25 as mentioned supra.

Response to Arguments

8. Applicant's arguments filed 2 January 2009 have been fully considered but have been found to be **moot** and **non-persuasive**. Applicant argues:

Argument

§ 103 Rejections

Claims 1-4, 8, 18 and 22-36 are rejected as being unpatentable over Lazerson (US Patent No. 7,366,694) in view of Stanfield (US Publication No. 2008/0133278). This rejection is traversed. Claim 1 is directed to a method of preserving an individual's access to credit by means of a service organization that requires, inter alia, using one or more computer processing units, on a periodic basis accessing dynamic credit information of the individual from a credit reporting bureau and deriving debt data from the credit information. Claim 1 also requires using one or more computer processing units, on a periodic basis determining an amount necessary to provide debt payment coverage based on the data derived from the credit information. Claim 1 further requires selecting a specific insurance company to provide coverage for aggregated insurance benefits based on the amount determined necessary to provide debt payment coverage at specific aggregated insurance premiums. The combination of Lazerson and Stanfield

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does not teach or suggest these features. The rejection interprets Lazerson as teaching on a periodic basis accessing dynamic credit information of the individual from a credit reporting bureau and deriving debt data from the credit information. Lazerson is directed to a credit/financing process that allows a borrower to anonymously obtain and/or evaluate desired financial services from different lenders (see the Abstract and column 2, line 35-column 4, line 65 of Lazerson). Lazerson teaches a process in which a potential borrower answers a series of questions and provides credit and financial information, and then based on the borrower's answers and financial information the process determines loan packages from different lenders the borrower qualifies for so that the borrower can make an educated decision as to what lender and which loan package to obtain. However, Lazerson only teaches receiving credit and financial information from the borrower (see column 2, lines 50-51 of Lazerson). Also, Lazerson teaches obtaining credit information from the borrower only once in order to determine which loans of a specific type the borrower qualifies for and does not teach or suggest accessing credit information on a periodic basis. Accordingly, Lazerson cannot teach or suggest on a periodic basis accessing credit information of an individual from a credit reporting bureau and deriving debt data from the credit information, as required by claim 1. Also, the rejection interprets Lazerson as teaching on a periodic basis determining an amount necessary to provide debt payment coverage based on the data derived from the credit information. While Lazerson teaches asking the borrower questions to determine what types of loans are the best to accomplish the borrower's goal (i.e. auto loan, mortgage loan, etc.) nowhere does Lazerson teach or suggest a loan for debt payment coverage. Moreover, nowhere does Lazerson contemplate determining the amount necessary to provide debt payment coverage. Accordingly, nowhere does Lazerson teach or suggest on a periodic basis determining an amount necessary to provide debt payment coverage based on the data derived from the credit information, as required by claim 1.

Further, the rejection interprets Stanfield as teaching selecting a specific insurance company to provide coverage for aggregated insurance benefits based on the amount

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determined necessary to provide debt payment coverage at specific aggregated insurance premiums. Stanfield is directed to a method and system of providing credit card insurance for multiple credit cards issued by different credit card issuers and a method of risk assessment and premium calculation for credit card insurance (see paragraph [0001]). However, Stanfield only teaches a method for determining the amount of risk an underwriter undertakes in issuing a credit card insurance policy covering credit cards issued by different issuers and determining various parameters of the insurance policy, e.g. the insurance premium and the insurance policy limits (see column 2, paragraph [0023] of Stanfield). Stanfield does not extend to teaching processes for selecting a specific insurance company to provide coverage for aggregated insurance benefits. Accordingly, Stanfield cannot teach or suggest selecting a specific insurance company to provide coverage for the aggregated insurance benefits based on the amount determined necessary to provide debt payment coverage at specific aggregated insurance premiums, as required by claim 1. For at least these reasons claim 1 is not suggested by the combination of Lazerson and Stanfield and should be allowed. Claims 2-4, 8, 18 and 22-25 depend from claim 1 and should be allowed for at least the same reasons.

Regarding Argument

The Examiner respectfully disagrees. Lazerson indeed teaches and suggests, on a periodic basis accessing credit information of an individual from a credit reporting bureau and deriving debt data from the credit information as required by claim 1. See at least (Lazerson: Abstract; Column 7, Lines 38-64). Also, Lazerson shows, on a periodic basis determining an amount necessary to provide debt payment coverage (See at least Lazerson: Abstract; Column 2, Lines 33-47; Column 4, Lines 6-65; Column 7, Lines 38-64) based on the data derived from the credit information.

Furthermore, Stanfield does disclose processes for selecting an insurance company to provide coverage for aggregated insurance benefits. While a specific company has not been expressly taught by Stanfield an insurance company to provide coverage for aggregated insurance benefits is discussed.

9. Any additional arguments filed 2 January 2009 have been fully considered but have been found to be **moot** and **non-persuasive**. Additionally, as the remaining claims depend directly or indirectly from the independent claims mentioned/discusses above, the Examiner maintains all previously asserted rejections.

Examiner Note

10. **The Examiner has pointed out particular reference(s) contained in the prior art of** record within the body of this action for convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. **Applicant**, in preparing the response, should **fully consider the entire reference** as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Conclusion

11. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication should be directed to BENJAMIN S. FIELDS at telephone number 571.272.9734. The examiner can normally be reached MONDAY THRU FRI between the hours of 9AM and 7PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KAMBIZ ABDI can be reached at 571.272.6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Benjamin S. Fields

26 February 2009

/Harish T Dass/

Primary Examiner, Art Unit 3692